

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on 11/19/2010, and the references cited therewith.

Claims 40, 44, 47, 49, and 54 have been amended. Claim 44 has been amended to avoid antecedent basis errors that would arise from incorporating claim 46 into claim 40. Claim 47 has been amended to depend on claim 40, because claim 47 previously depended on claim 46.

§102 Rejection of the Claims

Claims 40-43 and 48-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. ("Brown"), U.S. Patent No. 6,587,822 B2, issued July 2003, Appl. No. 09/168,405 filed October 1998. Claim 40 has been amended to incorporate the limitations of allowable claim 46, and claim 46 has been cancelled. Claim 49 has been amended to incorporate the limitations of allowable claim 53, which has been cancelled. Applicants' representative respectfully submits that the claims are now in condition for allowance.

§103 Rejection of the Claims

Claims 44, 45, 52, and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Dodrill et al. ("Dodrill"), U.S. Patent No. 7,308,484 B1, issued December, 2007, Appl. No. 09/608,232 filed June 2000. Claims 44 and 45 depend on claim 40, which is now in condition for allowance. Claim 52 depends on claim 49, which is now in condition for allowance. Claim 54 has been amended with limitations similar to those of allowable claim 53. Claims 55-56 depend on claim 54, which is now in condition for allowance.

Allowable Subject Matter

Claims 46 and 47, and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 46 has been incorporated into claim 40. Claim 53 has been incorporated into claim 49. Applicants' representative appreciates the indication of allowable subject matter.

Reservation of Rights

Applicant does not admit that documents cited under 35 U.S.C. §§ 102(a), 102(e), 103/102(a), or 103/102(e) are prior art, and reserves the right to swear behind them at a later

date. Arguments presented to distinguish such documents should not be construed as admissions that the documents are prior art. Applicant also reserves the right to pursue canceled and originally filed claims in a continuation application. Furthermore, Applicant does not acquiesce to any of the Examiner's assertions about the claims or the cited documents and reserves the right to argue these assertions in the future.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Steven R. Gilliam at 202-596-5526 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0447.

Respectfully submitted,

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